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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,547	09/27/2000	Seshadri Sathyanarayan	042390.P9328	8296

7590 02/06/2003

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EXAMINER

NGUYEN, MERILYN P

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 02/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/671,547

Applicant(s)

SATHYANARAYAN, SESHADRI

Examiner

Merilyn P Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-18 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-18, and 20-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 27 September 2000 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: |

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DETAILED ACTION

1. In response to the communication dated 12/02/2002, claims 1-7, 9-18, and 20-25 are active in this application as a result of the cancellation of claims 8 and 19.

Acknowledges

2. Receipt is acknowledged of the following items from the Applicant:

Information Disclosure Statement (IDS) filed on 09/27/2000 and made of record as Paper No. 2.

The references cited on the PTO 1449 form have been considered.

The applicant's amendments have been considered and made of record as Paper No. 4.

Specification

3. The disclosure is objected to because of the following informalities:

“Summary of the invention” is missing.

Appropriate correction is required.

Applicant, in his response filed 12/02/2002 (paper #4) argues that a summary of the invention is not statutorily required, and the paragraph beginning on p. 5, line 4, fulfills the requirements of 37 CFR 1.73. In response, the examiner contends that a summary of the invention in the instant case is important to the understanding of the overall invention and is, thus, required. Also, it should be separated from detail description of the invention for clarification.

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 8-15 and 17-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drucker (US 6,292,796).

Regarding claim 1, Drucker discloses a method comprising:

transmitting a search query to a site (See Fig. 5, "query", and col. 9, lines 26-28) over the Internet (See Fig. 12, reference 1225). Nonetheless, Drucker silent as to transmitting a search query to a World Wide Web site. It was well known in the art that the World Wide Web is a part of the Internet (See col. 1, lines 44-46). Depending on the improving method and system of accessing and filtering information (See col. 4, lines 8-9) from the limitation of prior system (See col. 1, lines 34-51, and col. 3, lines 62-65), it would have been obvious to one of ordinary skill in the art to use World Wide Web site as part of the Internet to perform transmitting a query, since World Wide Web is known as the most convenient technique for obtaining any electronic information. *In re Dulberg*, 289 F.2d 522, 523, 129 USPQ 348, 349 (CCPA 1961)(The claimed structure, a lipstick holder with a removable cap, was fully met by the prior art except that in the prior art the cap is "press fitted" and therefore not manually removable. The court held that "if it were considered desirable for any reason to obtain access to the end of the prior art's holder to which the cap is applied, it would be obvious to make the cap removable for that purpose.")

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- receiving a search result document from the World Wide Web site as addressed above, the search result document comprising a plurality of search result entries (See col. 9, lines 37-38); and
- filtering the plurality of search result entries (See col. 8, lines 10-17 and col. 9, lines 38-51) by:
 - comparing each search result entry with the search query (See col. 9, lines 38-40), and
 - selecting a subset of the plurality of search result entries based on the comparison (See col. 9, lines 38-40).

Regarding claim 2, Drucker further discloses:

- generating a summary document comprised of the subset of the plurality of search result entries (See col. 10, lines 3-5); and
- displaying the summary document (See col. 9, line 57 to col. 10 line 20).

Regarding claim 9, Drucker discloses wherein the search query is tailored to search requirements of the World Wide Web site (See col. 9, lines 26-28 and lines 19-25).

Regarding claim 10, Drucker discloses wherein each search result entry is associated with a document (See col. 10, lines 18-19).

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Regarding claim 11, Drucker discloses wherein said comparing each search result entry includes:

- parsing at least a portion of the search entry result into constituent elements (See col. 9, lines 40-45);
- comparing the constituent elements of the search result entry to elements of the search query (See col. 9, lines 38-43).

Regarding claim 12, Drucker discloses wherein each search result entry is associated with a document (See col. 10, lines 18-19) and includes a text link to the associated document (See col. 8, lines 42-46 and col. 10, lines 21-25).

Regarding claim 13, Drucker discloses wherein the at least a portion of the search result entry comprises the text link (See col. 10, lines 21-25).

Regarding claim 14, Drucker discloses wherein the at least a portion of the search result includes a description of an associated document (See col. 10, lines 12-14 and lines 36-39).

Regarding claim 18, Drucker discloses a machine-readable medium (See Fig. 12, mass storage 1212) containing instructions stored thereon (See col. 14, lines 42-44), which when executed cause a processor to:

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- construct a plurality of queries comprising words for a plurality of predetermined World Wide Web sites as addressed above in claim 1 (See Fig. 5, query construction and col. 9, lines 19-32);
- transmit the plurality of queries to the plurality of predetermined World Wide Web sites over a the Internet as addressed above in claim 1;
- receive a plurality of documents (See Fig. 5, “Results”) from the plurality of predetermined sites via the Internet (1225, Fig. 12, and see col. 9, line 28, “libraries or databases”), each document of the plurality of documents (See col. 9, lines 37-38) comprised of one or more search result entries, each search result entry of the one or more search result entries comprising a link to a site (See col. 10, lines 12-14);
- compare at least a portion of each of the one or more search result entries from each document with an applicable query of the plurality of queries (See col. 9, lines 37-51);
- select search result entries based on the comparison (See Fig. 5, results filtering 510, and col. 9, 38-40); and
- construct a document comprising the selected search result entries (See col. 9, lines 60-63).

Regarding claim 20, Drucker discloses generate the plurality of queries based at least partly on the user's profile (See col. 7, lines 37-39, and col. 17, lines 7-10).

Regarding claim 21, Drucker discloses generate the plurality of queries based at least partly on the content of the sites visited during an Internet session (See col. 17, lines 34-37).

Regarding claim 22, Drucker discloses wherein the at least a portion of each of the one or more search entries comprises the link (See col. 10, lines 12-14).

Regarding claim 23, Drucker discloses computer system comprising:

- a processor (See Fig. 12, processor 1213) ;
- a network connection (See Fig. 12, network link 1221);
- storage medium (See Fig. 12, mass storage 1212) containing thereon stored instructions

(See col. 14, lines 42-44) which when executed cause the processor to:

a) transmitting a search query to a World Wide Web site (See Fig. 5, “query”, and col. 9, lines 26-28) over the Internet (See Fig. 12, reference 1225), as addressed above in claim 1;

b) receiving a search result document from the World Wide Web site as addressed above in claim 1, the search result document comprising a plurality of search result entries (See col. 9, lines 37-38); and

c) filtering the plurality of search result entries (See col. 8, lines 10-17 and col. 9, lines 38-51) by:

- comparing each search result entry with the search query (See col. 9, lines 38-40), and
- selecting a subset of the plurality of search result entries based on the comparison (See col. 9, lines 38-40).

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Regarding claim 24, Drucker discloses wherein the stored instructions which when executed further cause the processor to:

- generating a summary document comprised of the subset of the plurality of search result entries (See col. 10, lines 3-5); and
- displaying the summary document (See col. 9, line 57 to col. 10 line 20).

Regarding claim 15, Drucker discloses:

- monitoring a user's Internet session (See col. 14, lines 21-26, and Fig. 12, Internet 1225);
- determining the intent of the user by performing an analysis on the parsed words (See col. 12, lines 7-15);
- constructing queries to perform searches on a plurality of web sites based on the user's intent (See col. 9, lines 22-25); and
- transmitting the queries to the plurality of web sites (See col. 9, lines 26-28).

However, he is silent as to teaching the step of:

- parsing hypertext links selected by the user into words;

Although, Drucker is silent as to having the step of parsing hypertext links, on the other hand, he discloses the step of parsing the standing search (See col. 11, lines 36-37 and col. 12, lines 5-7), which may be entered as a natural language request (See col. 11, lines 25-30), to extract key words (See col. 12, lines 5-6). Therefore, it would have been obvious to one of ordinary skill in the art to apply this concept of parsing to parse hypertext links into words. The motivation would have been to making the Drucker system more feasible and satisfying in term of user intent.

Regarding claim 17, Drucker discloses wherein the plurality of web sites are predetermined (See col. 9, line 28, Drucker et al.).

5. Claims 3-7, 16 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Drucker (US 6,292,796), in view of Herz (US 6,029,195), as set forth in the previous office action mailed 10/09/02 (paper #3), and reiterated herein below for convenience.

Regarding claim 3, Drucker discloses all the claimed subject matter as set forth above and further discloses generating the query (See col. 9, lines 26-28) based on the intent of user (See col. 9, lines 22-25). However, Drucker is silent as to generating the query based on the intent of user as indicated by computer usage. On the other hand, Herz et al. discloses computer usage (See col. 7, line 66 to col. 8, line 2, Herz et al.), which is used to determine the intent of the user; therefore, it would have been obvious to one of the ordinary skill in the art to generate the query based on the intent of user as indicated by computer usage as suggested by Herz et al. The motivation would have been to making the system more efficient by filtering out unwanted results, for example, filtering out documents the user already read.

Regarding claim 4, Drucker, in view of Herz, discloses wherein said generating the query comprises:

- monitoring computer usage (See col. 18, lines 25-28, Herz et al.);
- recording information related to the monitoring (See col. 65, lines 50-63, Herz et al.);

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- analyzing the information to determine the user's intent (See col. 7, lines 4-12, Herz et al.); and
- constructing the query based on the user's intent (See col. 7, lines 14-16, Herz et al.).

Regarding claim 5, Drucker, in view of Herz, discloses wherein said generating the query includes:

- monitoring the text links chosen by the user (See col. 7, lines 36-40, Herz. et al.);
- determining the intent of the user based on the content of the text links using heuristics (See col. 7, lines 19-22 and 29-35, Herz et al.); and
- constructing the query based on the user's intent (See col. 9, lines 19-25, Drucker et al.).

Regarding claim 6, Drucker, in view of Herz, discloses wherein said generating the query is in response to a user action (See col. 9, lines 22-26, Drucker et al.) and is based on the content of an item or a document currently being displayed (See col. 75, lines 27-43, Herz et al.).

Regarding claim 7, Drucker, in view of Herz, discloses wherein the computer usage monitored includes at least one of:

- a) text links chosen by the user (See col. 7, lines 36-44, and col. 18, lines 25-27, Herz et al.);
- b) time spent at each site and/or time spent on each page (See col. 18, lines 27-28 and 33-38, Herz et al.);
- c) pages bookmarked by the user (See col. 62, lines 60-62, Herz et al.);

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- d) frequency that particular pages are visited (See col. 9, lines 45-48, Drucker et al.);
- e) the content of visited pages (See col. 65, lines 50-51, Herz et al.);
- f) the content of text links (See col. 10, lines 12-14, Drucker et al.).

Regarding claim 16, Drucker, in view of Herz, discloses wherein the analysis uses a heuristic method (See col. 20, lines 1-22, Herz et al.).

Regarding claim 25, Drucker, in view of Herz, discloses wherein the stored instructions which when executed further cause the processor to generate the query based on the intent of user as indicated by computer usage as set forth above in claim 3.

Response to Arguments

6. Applicant's arguments filed on 12/02/2002 about the claim rejection of the last Office Action have been fully considered, but they are not persuasive.

Regarding claim 1, Applicant points out that the action of October 9, 2002 stated the amended recitation of "transmitting a search query to a World Wide Web site over the Internet" is taught by Drucker on col. 10, lines 23-25. The examiner respectfully disagrees. The action of October 9, 2002 did not reject on this new recitation but "transmitting a search query to a site over a network". The examiner respectfully points out that the Applicant's amendment requires a reconsideration of the Drucker reference. Now, the claim is met by the reference since the World Wide Web is a part of the Internet that may be accessed by using a browser application (See col. 1, lines 44-46). The World Wide Web can be used with the Internet for searching

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convenience since the World Wide Web is the most convenient technique for obtaining information.

Applicant argues that Drucker does not teach or suggest the recitations of claim 1 of “comparing each search result with the search query, and selecting a subset of the plurality of search results entries based on the comparison”. The examiner respectfully disagrees. All the search system does the comparing of search result with the query and that is the part of the searching process. Furthermore, Drucker states that: “A query is generated via query construction” (See col. 9, line 26) and the query is constructed based on the user setup information (See col. 9, lines 19-25). Therefore, user criteria are applied as part of the search. Thus, the limitation of col. 9, lines 38-40 of Drucker clearly read on applicant’s claimed “comparing each search result with the search query, and selecting a subset of the plurality of search results entries based on the comparison”.

Claims 18 and 23 contain similar recitation of claim 1 as addressed above.

Regarding claim 15, Applicant argues that Drucker does not teach the recitation of “monitoring a user’s Internet session”. The examiner respectfully disagrees. At col. 14, lines 21-28, Drucker states the recitation of monitoring the results of a search and the choices that made by a user based on viewing search result. The Drucker system uses Internet to access to server for searching results (See Fig. 12, Internet 1225 and Server 1216). Therefore, it may be broadly interpreted to read on Applicant’s claimed “monitoring a user’s Internet session”.

Applicant argues that Drucker does not teach the recitations of “parsing hypertext links selected by the user into words” and “determining the intent of the user by performing an analysis on the parsed words”. The examiner points out that Drucker limitation of parsing the

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standing search (See col. 11, lines 36-27, and col. 12, lines 5-7), which may be entered as a natural language request (See col. 11, lines 25-30), to extract key words (See col. 12, lines 5-6) can be applied on the application's claimed "parsing hypertext links selected by the user into words", since hypertext links are also the natural language using to describe the core of search.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 703-305-5177. The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Mn

MN

January 27, 2003


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